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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,712	09/11/2000	Peter Heiler	A-2528	4157

7590 05/07/2002

Lerner and Greenberg, P.A.  
P.O. Box 2480  
Hollywood, FL 33022-2480

EXAMINER

CRENSHAW, MARVIN P

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 05/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/658,712

Applicant(s)

HEILER ET AL.

Examiner

Marvin P. Crenshaw

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Guaraldi et al.

Guaraldi et al. teaches a rotatable body (Fig. 1) for printing machines comprising a circumferential surface provided with a surface structure and formed of a nonmetallic material, said circumferential surface being a roller selected from the group of rollers consisting of a slip roller (16) and a vibrator roller (20). The roller serves for carrying one of ink and emulsion (See col. 1, lines 19-22). The rotatable body wherein during printing, said roller is in permanent engagement (Fig. 1) with two other rollers.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guaraldi et al. in view of Shiraki et al.

Guaraldi et al. teaches all that is claimed, as discussed in the above rejection of claims 1-3 and 10, except the surface structure is a groove running helically in the circumferential surface, a surface structure is made up of a multiplicity of dimples formed in the circumferential surface, the surface is formed of slats, having an arithmetical average height of the surface structure is at least 12 microns, and the nonmetallic material is selected from the group of materials consisting of soft rubber and soft plastic material.

Shiraki et al. teaches a surface structure is a groove running helically (Fig. 5(a)) in the circumferential surface, a surface structure is made up of a multiplicity of dimples (Fig. 3(a)) formed in the circumferential surface, the surface is formed of slats (Fig. 3(a)), having an arithmetical average height (See table 1) of the surface structure is at least 12 microns, and the nonmetallic material is selected from the group of materials consisting of soft rubber and soft plastic material.

It would have been obvious to modify Guaraldi et al. to have a surface structure is a groove running helically in the circumferential surface, a surface structure is made up of a multiplicity of dimples formed in the circumferential surface, the surface is formed of slats, having an arithmetical average height of the surface structure is at least 12 microns, and the nonmetallic material is selected from the group of materials consisting of soft rubber and soft plastic material as taught by Shiraki et al. because the rotatable body is excellent when carrying or transferring fluids to another roller.

Claims 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guaraldi et al. in view of Shiraki et al. as applied to claims 4 and 6-9 and further in view of Furbass.

Guaraldi et al. and Shiraki et al. together teach all that is claimed, as discussed in the above rejection of claims 4 and 6-9, except the nonmetallic material is selected from the group of materials consisting of hard rubber and hard plastic material.

Furbass teaches a rotatable body (Fig. 1) having the nonmetallic elastic material (See col. 2 lines 55-60) is selected from the group of materials consisting of hard rubber and hard plastic material. It would have been obvious to further modify Guaraldi et al. to have a rotatable body having the nonmetallic material is selected from the group of materials consisting of hard rubber or hard plastic material as taught by Furbass because it is well known in the art to be used to uniformly spread ink or water to the other rollers when printing.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection. Specifically, Guaraldi have been added to teach the slip and vibrator roller and Shikara has been added to teach the surfaces and structure of the rollers.

### ***Conclusion***

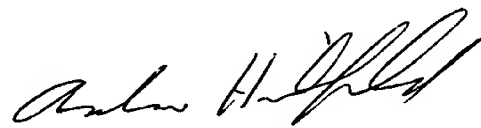
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (703) 308-0797. The examiner can normally be reached on Monday - Friday 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



MPC  
May 6, 2002



ANDREW H. HIRSHFELD  
PRIMARY EXAMINER